

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ASCENDA USA INC. D/B/A
24-7 INTOUCH

and

Case 12-CA-164968

STEPHANIE RENEE YOUNG

ORDER¹

The Employer's Petition to Revoke Subpoena Duces Tecum No. B-1-QIB29Z is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations.² Further, the Employer has failed to establish any other legal basis for revoking the subpoena. See generally, *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).³

Dated, Washington, D.C., May 19, 2016

MARK GASTON PEARCE,	CHAIRMAN
PHILIP A. MISCIMARRA,	MEMBER
KENT Y. HIROZAWA,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² To the extent that the subpoena encompasses some documents that the Employer believes in good faith to be subject to the attorney-client privilege or the attorney work product doctrine, this Order is without prejudice to the Employer's prompt submission of a privilege log to the Region identifying and describing each such document, and providing sufficient detail to permit an assessment of the Employer's claim of privilege or protection. The Employer is directed to produce all responsive documents in its possession not subject to any good-faith claim of privilege or protection.

³ In addition, the General Counsel has indicated in his opposition brief that he is willing to modify the subpoena by limiting the information requested in paragraphs 3, 4, and 5 in certain respects, and accepting the information from paragraph 2 in an alternate format. In considering the petition to revoke and additional arguments raised in the petition, we have evaluated the subpoena as modified in this manner.